

## Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 EA-06 CIAE-00 DODE-00 NSAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 PM-03 H-01 INR-07 L-02 NSC-05

PA-01 RSC-01 PRS-01 SP-02 SS-15 AID-05 /060 W

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O R 301035Z DEC 74

FM AMEMBASSY DACCA

TO SECSTATE WASHDC IMMEDIATE 5277

INFO AMCONSUL CALCUTTA

AMEMBASSY NEW DELHI

C O N F I D E N T I A L DACCA 5885

E.O. 11652: GDS

TAGS: PINT, BG

SUBJECT: STATE OF EMERGENCY

REF: DACCA 5870

1. PRIMIN MUJIBUR RAHMAN'S FUNDAMENTAL REASONS FOR ADVISING PRESIDENT MOHAMMADULLAH TO DECLARE A STATE OF EMERGENCY HAVE NOT YET BECOME CLEAR. WHILE EID-UL-AZHA MURDERS OF AWAMI LEAGUE FIGURES, INCLUDING MP, OFFERED OCCASION FOR DECLARATION, IT OBVIOUS THAT BDG IS ALSO ANXIOUS HAVE ADDED POWERS TO DEAL WITH SECURITY AND ECONOMIC PROBLEMS, MOST NOTABLY SMUGGLING, BLACK MARKETEERING AND EFFORTS TO AVOID RICE PROCUREMENT. ORDINANCE ISSUED AS RESULT DECLARATION OF EMERGENCY (COPY BEING POUCHED) GRANTS WIDE POWERS TO BDG MAKE RULES TO DEAL IN EXTRAORDINARY FASHION WITH PERSONS ENGAGED IN VARIOUS ILLICIT ECONOMIC ACTIVITIES.

2. NEVERTHELESS, ORDINANCE IS REMINDER THAT SHEIKH MUJIB SEEMS TO HAVE MORE THAN TACKLING ECONOMIC PROBLEMS IN MIND. THE ORDINANCE PLACES THE PRESS UNDER STRICUTURES, THREATENS TRADE UNIONS AND POLITICAL PARTIES WITH DISSOLUTION, PERMITS REGULATION--INCLUDING PROXHIBITION--OF MEETINGS AND PROCESSIONS, ENABLES PREVENTIVE DETENTION, ALLOWS SEIZURE, DETENTION AND FORFEITURE OF PROPERTY, AND LIMITS FREEDOM OF MOVEMENT. WITH RECOURSE TO

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COURTS SUSPENDED BY THE DECLARATION OF A STATE OF EMERGENCY,

BDG'S ROLE IS PERVASIVE.

3. THERE SIGNIFICANT BODY OF OPINION WHICH HOLDS THAT DECLARATION OF EMERGENCY IS PRELUDE TO SUBSTANTIAL CONSTITUTIONAL CHANGES DURING XJANUARY. RUMORS OF CHANGE TO A PRESIDENTIAL SYSTEM HAVE BEEN CURRENT FOR A YEAR BUT THE DECLARATION OF EMERGENCY HAS GIVEN THEM FRESH VIGOR. HOWEVER, RUMORS NOW TAKING MORE TROUBLING CHARACTER AS SOME SUGGEST THAT PRESENT CONSTITUTION NOT SIMPLY TO BE AMENDED WHEN JATIYO SANGSAD MEETS (ONE SOURCE SAYS JANUARY 9, ANOTHER JANUARY 20) BUT RATHER THAT CABINET MAY BE DISMISSED, JATIYO SANGSAD DISSOLVED AND AMENDMENTS ENACTED BY ORDINANCE. WHATEVER CASE MAY BE, MANY BELIEVE THAT IT IS IN ANTICIPATION OF FUNDAMENTAL CHANGES WHICH RISK PROMPTING PUBLIC OUTCRY THAT BDG HAS ASSUMED SUCH EXTENSIVE POWERS.

4. WE HAVE STILL TO DETERMINE WHAT, IF ANY, DEAL MAY HAVE BEEN STRUCK BY SHEIKH MUJIB WITH THOSE WHOSE SUPPORT HE WILL NEED. WE ARE TOLD HE STILL HOPES TO BRING TO HIS SIDE SOME IN THE OPPOSITION; A POLICE SOURCE TOLD AN EMBOFF THAT SHEIKH MUJIB BROUGHT THE JSD'S JAILED MAJOR JALIL AND ABDUR RAB TO HIS RESIDENCE ON DECEMBER 25 OR 26 IN AN ATTEMPT TO BRING THEM INTO HIS CAMP (HE FAILED, SAYS THE SOURCE, ALTHOUGH THEY OFFERED TO LET HIM JOIN THEM). XWHAT BACKING SHEIKH MUJIB CAN LOOK TO FROM THE MILITARY IS STILL UNKNOWN, ALTHOUGH IT WOULD SEEM THAT HE WOULD BE LITTLE PREPARED TO CALL FOR A DECLARATION OF EMERGENCY UNLESS HE KNEW HE COULD COUNT ON THE MILITARY, INCLUDING THE RAKKHI BAHINI.

5. THE MEANING OF THE DECLARATION OF EMERGENCY WILL BE REVEALED BY THE WAY IN WHICH THE POWERS IT CONFERS ARE USED. IT IS, THUS, STILL TOO EARLY FOR ANY JUDGMENT TO BE MADE. IF THE POWERS ARE USED TO INCREASE SECURITY AND TO HALT ECONOMIC CRIMES, THEN IT WILL BE HAILED. TO DATE THE ONLY CONCRETE ACTION OF WHICH WE ARE AWARE HAS BEEN THE ARREST OF MOUDUD AHMED, LAWYER, PROMINENT AND VERY OUTSPOKEN CIVIL LIBERTARIAN, AND IV GRANTEE LAST MAY. HIS ARREST IS IRONIC FOR HE WAS AN ACTIVE MEMBER OF THE DEFENSE TEAM AT SHEIKH MUJIB'S ARGATALA CONSPIRACY TRIAL.

6. MEANWHILE, SITUATION IN DACCA REMAINS ENTIRELY NORMAL EXCEPT FOR OSTENTATIOUS MOVEMENT ABOUT THE CITY OF LARGE NUMBER OF PERSONNEL CARRIERS LOADED WITH ARMED MEMBERS OF ARMY AND RAKKHI  
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## Message Attributes

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